

Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 DEAE-00 CIAE-00 INR-07
JUSE-00 NSAE-00 SNM-02 TRSE-00 USIA-15 NSC-05
OES-06 OMB-01 SS-15 HEW-06 DODE-00 L-03 AID-05
H-02 IOE-00 /093 W

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FM AMEMBASSY LISBON

TO SECSTATE WASHDC PRIORITY 0598

INFO AMCONSUL OPORTO

AMCONSUL PONTA DELGADA

USMISSION GENEVA

UNCLAS LISBON 2184

E.O. 11652: N/A

TAGS: SNAR, CGEN, PO

SUBJ: PORTUGUESE LAW ON POSSESSION OF MARIJUNA

REF: STATE 57902 NOTAL

1. PORTUGAL'S DRUG CONTROL LAW, DECREE-LAW 420/70 OF
SEPTEMBER 3, 1970, DOES NOT DISTINGUISH BETWEEN TYPES OF
DRUGS,. LAW PROVIDES FOR FOLLOWING PENALTIES:
-- POSSESSION FOR PERSONAL USE: UP TO 2 YEARS IN JAIL AND
FINE OF 5,000 TO 50,000 ESCUDOS.
-- TRAFFICKING, INCLUDING MISUSE BY DOCTORS: 2 TO 8 YEARS
IN JAIL AND FINE OF 10,000 TO 100,000 ESCUDOS.
-- BEING "DANGEROUS" HABITUAL USER, OR USER WHO "PROVOKES A
PUBLIC SCANDAL": 6 MONTHS TO 2 YEARS IN JAIL AND 5,000 TO
50,000 ESCUDOS FINE.
-- OWNING OR MANAGING SITE WHERE DRUGS ARE CONSUMED: UP TO 6 MONTHS
IN JAIL AND FINE OF UP TO 5,000 ESCUDOS.

2. IN PRACTICE, JUDGES APPEAR TO HAVE APPLIED PENALTIES
ACCORDING TO TYPE OF DRUG AND SEVERITY OF OFFENSE.
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3. INTER-MINISTERIAL COMMITTEE IS STUDYING NEW LEGISLATIVE
PROPOSALS WHICH WILL BE DESIGNED TO EXPLICITLY VARY
PENALTIES BY DRUG AND OFFENSE. ONE NEW LAW, COVERING
"PSYCHOTROPIC" DRUGS, ALREADY HAS BEEN APPROVED BY
ASSEMBLY OF REPUBLIC AND AWAITS PRESIDENTIAL SIGNATURE.

4. COMMENT: DECISION BY U.S. CONGRESS IS LIKELY TO
INFLUENCE NEW PORTUGUESE LEGISLATION.
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Message Attributes

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Disposition History: n/a
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